

Notice of Allowability

Application No.

09/151,115

Examiner

Michelle R. Connelly-Cushwa

Applicant(s)

GLYNN, THOMAS A.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Amendment filed August 4, 2003.
2. ☒ The allowed claim(s) is/are 1-14 and 33-38.
3. ☒ The drawings filed on 10 September 1998 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>0803</u> . | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |


AKM ENAYET ULLAH
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Paul on September 22, 2003.

The application has been amended as follows:

Claim 1 has been amended as follows:

Claim 1 (Amended) A telecommunications fiber optic infrastructure, comprising:
a fiber center distributing frame which forms a cable interface from at least one remote equipment to at least one central office equipment, said fiber center distributing frame further comprising:

at least one fiber center distributing frame module having an outside plant portion, an inside plant portion, and an equipment cable port, said at least one remote equipment connecting to said outside plant portion and said at least one central office equipment connecting to said outside plant portion through said equipment cable port, and said outside plant portion being proximately located to said inside plant portion;

said inside plant portion of said fiber center distributing frame module further comprising a plurality of inside mounting positions wherein each one of said plurality of inside mounting positions includes the operating states of equipped, unequipped and spare and is in a designated ~~state selected from a group of one of the~~ operating states including: equipped, unequipped and spare; and

wherein said connector from said outside plant portion to said inside plant portion is made to any one of said plurality of inside mounting positions which is in said equipped operating state.

Response to Amendment

Applicant's Amendment filed August 4, 2003 has been fully considered and entered.

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Claims 1-32 were originally present in the case and claims 15-32 were cancelled in the Applicant's Amendment filed November 4, 2002.

Misnumbered claims 15-20 been renumbered 33-38, respectively.

Information Disclosure Statement

The prior art documents submitted by applicant in the Information Disclosure Statement filed on August 4, 2003 have all been considered and made of record (note the attached copy of form PTO-1449).

Response to Arguments

Applicant's arguments, see pages 3-7 of the Amendment filed August 4, 2003, with respect to prior art rejections of claims 1-14 have been fully considered and are persuasive in view of the corresponding Examiner's Amendment set forth in this Office action. The rejections of claims 1-14 have been withdrawn.

Allowable Subject Matter

Claims 1-14 and 33-38 are allowed.

Conclusion

Any inquiry concerning the merits of this communication should be directed to Examiner Michelle R. Connelly-Cushwa at telephone number (703) 305-5327. The examiner can normally be reached 9:00 AM to 7:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on 703-308-4819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

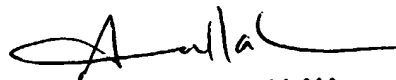
Any inquiry of a general or clerical nature should be directed to the Technology Center 2800 receptionist at telephone number (703) 308-0956.

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MRCC

Michelle R. Connelly-Cushwa
Patent Examiner
September 22, 2003



**AKM ENAYET ULLAH
PRIMARY EXAMINER**